

// A special meeting of the Council of the City of Lynchburg, recessed from October 25, was held on the 8th day of November, 2005, at 4:00 P.M., Second Floor Training Room, City Hall, Carl B. Hutcherson, Jr., President, presiding. The purpose of the meeting was to conduct a work session regarding the Tourism Program. The following Members were present:

Present: Dodson, Gillette, Helgeson, Hutcherson 4

Absent: Foster, Johnson, Seiffert 3

// Vice Mayor Foster arrived at 4:18 p.m.

// Council Member Johnson arrived at 5:05 p.m.

// City Manager Kimball Payne stated that since City Council's October 25 meeting, he has had a series of meetings with stakeholders in the tourism program and that there seems to be some consensus that the ideal structure for a tourism program would be an independent, regional entity such as an authority. Mr. Payne went on to say that moving to an independent, regional entity would require community discussion and considerable effort and time and that in order to provide a framework for that to happen, he would like to offer the following proposed concept:

- (a) Renew the contract with the Chamber of Commerce for a two year period, with an optional additional one year period for a transition to a new program structure once such a structure is agreed upon.
- (b) Fundamentally restructure the Tourism Advisory Council (TAC) to establish qualifications for membership, grant authority over budget development and implementation, provide authority for program design and operation, and define other expectations. TAC membership would include representatives from all stakeholder groups as well as the City's Director of Economic Development and the Director of Communications and Marketing.
- (c) Put procedures in place to ensure full accountability and transparency of the tourism program budget and its relation to the overall Chamber budget.
- (d) Establish program performance measures.
- (e) Simplify the funding formula to a straight percentage of lodging tax revenue with any additional funds over the current year to be dedicated to marketing.
- (f) Create an oversight committee consisting of the Mayor or Vice-Mayor, the City Manager, the Chair of the Chamber Board of Directors, and the President of the Chamber to address high level policy and personnel issues related to the program.

Mr. Payne explained that TAC and the entire community would work over the two year period to define the long term goals and expectations of the tourism program, work toward the establishment of an independent, regional authority with input from all stakeholders, and explore the establishment of an additional regional visitors' center in the Rt. 460/29 corridor between Tyreeanna and the Lynchburg Regional Airport. Mr. Payne stated that he shared the proposed concept with both the Hotel/Motel Association and the Chamber of Commerce and that they have accepted the concept although there remain a number of details to be worked out and that the next step would be to create a contract

document to incorporate the above proposal. Mr. Payne also commented that at some point in the future a marketing expert may need to be brought in to define our market area. Mr. Payne then outlined a number of concerns regarding placing the tourism program under City Administration, especially at a time when he is trying to reduce the size of City staff, and Council Members reached consensus to support Mr. Payne's request not to place the tourism program under City Administration. Mr. Dave Francis, representing the Hotel/Motel Association, stated that although moving forward with the establishment of an independent authority to operate the tourism program would work, the group also believe that it is still feasible for the tourism program to be run by the Economic Development Department and housed at the Visitor's Center. Mr. John Doyle, Chair of the Lynchburg Regional Chamber of Commerce Board, stated that the Chamber would be happy to work with the City to incorporate the changes outlined by City Manager Payne. Council Members discussed the various aspects of the City Manager's proposal and agreed that the next step would be for the City Manager to draft a contract document to incorporate the above concept to share with stakeholders, reach consensus on and bring back to City Council for further discussion and approval. Council also asked that the contract with the Chamber of Commerce be for a two year period and that they be provided a timeline of events that would happen over this two year period of time. In response to Council questioning, City Manager Payne stated that he would work towards scheduling this item for the December 13 work session.

// The meeting was adjourned at 5:45 p.m.

Clerk of Council

// A regular meeting of the Council of the City of Lynchburg was held on the 8th day of November, 2005, at 7:30 P.M. in the Council Chamber, City Hall, Carl B. Hutcherson, Jr., President, presiding. Council Member Gillette gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Foster, Gillette, Helgeson, Johnson, Hutcherson 5

Absent: Dodson, Seiffert 2

// Copies of the minutes of the October 25 (two meetings), 2005 meetings, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote approved the minutes as presented:

Ayes: Foster, Gillette, Helgeson, Johnson, Hutcherson 5

Noes: 0

Absent: Dodson, Seiffert 2

// In the matter of Fire - General, City Council Report #2 was considered. On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-143, as presented, amending the FY 2006 City/Federal/State Aid Projects Fund and appropriating \$15,476, fully reimbursable, to enhance the emergency management program:

Ayes: Foster, Gillette, Helgeson, Johnson, Hutcherson 5

Noes: 0

Absent: Dodson, Seiffert 2

// In the matter of Parks & Recreation - General, City Council Report #3 was considered. On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-144, as presented, amending the FY 2006 Capital Projects Fund Budget and appropriating \$38,000, fully reimbursable, to renovate the tennis courts at E. C. Glass High School:

Ayes: Foster, Gillette, Helgeson, Johnson, Hutcherson 5

Noes: 0

Absent: Dodson, Seiffert 2

// In the matter of Public Works - General, City Council Report #4 was considered. On motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-05-145, as presented, amending the FY 2006 Capital Projects Fund Budget and appropriating \$179,306, with \$143,000 from the Department of Transportation, to install historic street lights, purchase street furniture, repair sidewalks and uncover and repair the bricks on Cabell Street in the Daniel's Hill Historic District:

Ayes: Foster, Gillette, Helgeson, Johnson, Hutcherson 5

Noes: 0

Absent: Dodson, Seiffert 2

// In an item not on the agenda, Ms. Sue Worsham, representing the United States Tennis Association, presented the City with a check for \$38,000 to augment City capital funding to renovate the tennis courts at E. C. Glass High School.

// Council Member Dodson arrived at 7:39 p.m. during the discussion of Agenda Item #5.

// In the matter of Community Planning - Zoning Amendments, a public hearing was held regarding City Council Report #5 outlining the petition of Compson Development, L.C., to rezone approximately 1.7 acres located at 108 Melinda Drive and property that is south of Melinda Drive that is located on and fronts Wards Ferry Road, from R-C, Conservation District, and R-4, Medium-High Density Multi-Family Residential District, to B-3, Community Business District (Conditional) to allow the construction of commercial entrances, and for a Conditional Use Permit to allow fill in the flood plain of Rock Castle Creek to facilitate the construction of commercial entrances. Mayor Hutcherson read the following statement, "On the advice of my attorney I will abstain from voting on these zoning petitions. In addition to not voting I will also refrain from debating or discussing this matter. However, while I won't vote on or participate in the discussion of these petitions I will continue to perform my duties as Council's presiding officer." City Planner Tom Martin provided a summary regarding the petition. Mr. Tom Comparato, Compson Development, L.C., provided a brief overview regarding the request and asked for approval. Mr. Comparato cited several differences in this petition from the earlier petition, i.e., the agreement between Campbell County and the City that addressed many of the previous issues with regard to the development, and the receipt of a permit from the Army Corps of Engineers and the Virginia Department of Environmental Quality for the work to be performed in the Rock Castle Creek. Mr. Stuart Whitaker, representing the Vista Acres neighborhood, expressed concerns regarding the proposed Wards Crossing West Shopping Center and its affect regarding the property values and safety of the families who live in the neighborhood. Mr. Whitaker asked that the Development Access Road be completed before any phase of the proposed shopping center is allowed to open, that the revenue received via the joint agreement be used for traffic improvements in the vicinity of Wards Crossing West, and that the traffic issues in the Vista Acres neighborhood be addressed prior to the opening of the shopping center in October 2006. Ms. Judith Mazurkiewicz also asked that the traffic issues in the Vista Acres neighborhood be addressed prior to the opening of the shopping center. Mr. Barry White, also representing the Vista Acres neighborhood, expressed concerns regarding the impact of the shopping center on an area that already has heavy traffic congestion and questioned why it was so important for the mall to be built in this area. Mr. Jim Whitaker, who owns a business in this area, voiced support for the earlier suggestion of using the revenue received via the joint agreement for traffic improvements in this area. There was no one else present who wished to speak to this item, and the public hearing was closed. In response to Council questioning, City Manager Kimball Payne stated that the City's Neighborhood Traffic Management Program, which is designed to address traffic issues in neighborhoods, is scheduled to return to City Council at its December 13 meeting for final approval. Mr. Payne went on to say that in the joint agreement there is a commitment from the County to provide \$100,000 for traffic management

improvements in this area. Mr. Payne also explained that the Development Access Road is scheduled to be open within six months from the October 2006 opening of the shopping center. Council Member Helgeson stated that although he could not support the petition, he would support designating the revenue from the joint agreement for traffic improvements in the Wards Ferry Road area. City Manager Payne stated that the revenue was to offset a portion of the cost of providing services related to the shopping center, and that a decision by City Council to designate the revenue from the joint agreement for traffic improvements would not be binding on future City Councils. Mr. Payne did explain that the City needed to do a corridor study on Wards Ferry Road and that maybe those funds could be used to fund the study. Several Council Members commented that the City cannot control development in the County, that the joint City/County agreement is the best solution for the City and the neighborhood in that it will improve the plans for the shopping center and ensure that the City will have part in the master plan for the 200 acres surrounding Wards Crossing West, that the City needed to continue to look for ways to improve the traffic situation on Wards Ferry Road, and that the City needed to move forward with completion of the traffic management program for the neighborhood, preferably before the shopping center opens in October 2006. Following discussion, and on motion of Council Member Johnson, seconded by Vice Mayor Foster, Council by the following recorded vote adopted Ordinance #0-05-146, as presented, granting the rezoning petition:

Ayes: Dodson, Foster, Gillette, Johnson	4
Noes: Helgeson	1
Absent: Seiffert	1
Abstention: Hutcherson	1

On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-05-147, as presented, granting the Conditional Use Permit:

Ayes: Dodson, Foster, Gillette, Johnson	4
Noes: Helgeson	1
Absent: Seiffert	1
Abstention: Hutcherson	1

// In the matter of Community Planning - General, City Council Report #6 was considered. On motion of Council Member Dodson, seconded by Council Member Gillette, Council by the following recorded vote adopted Ordinance #0-05-148, as presented, dedicating a new public street and naming the street "Paradise Lane:"

Ayes: Dodson, Foster, Gillette, Helgeson, Johnson, Hutcherson	6
Noes:	0
Absent: Seiffert	1

// In the matter of Animals, City Council Report #7 regarding the appointment of Dennis Gene Iverson as a new part-time Animal Warden was considered. City Manager Kimball Payne explained that

the State Code requires that Animal Wardens be appointed by the local governing body. Council Member Helgeson stated that he would abstain since he did not know the individual in question. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Ordinance #0-05-149, as presented, appointing Dennis Gene Iverson as a part-time Animal Warden for the City of Lynchburg:

Ayes: Dodson, Foster, Gillette, Johnson, Hutcherson	5
Noes:	0
Absent: Seiffert	1
Abstention: Helgeson	1

// The meeting was recessed at 8:52 P.M. to November 22, at 1:00 P.M., to conduct a work session regarding several items.

Clerk of Council